

Exhibit H

Roussin, Denise (FAA) 1/27/2009 9:18:00 AM

1

2 HIGHLY CONFIDENTIAL

3

4 UNITED STATES DISTRICT COURT

5 SOUTHERN DISTRICT OF NEW YORK

6 -----X

7 IN RE SEPTEMBER 11 LITIGATION

8 No. 21 MC 101 (AKH)

9 -----X

10 January 27, 2009

 9:18 a.m.

11

12 Videotaped Deposition of DENISE ROUSSIN,

13 taken by Defendants, pursuant to Notice, at the

14 Ritz Carlton Hotel, 1111 Ritz Carlton Drive,

15 Sarasota, Florida 34236, before Tammey M.

16 Pastor, a Registered Professional Reporter,

17 Certified LiveNote Reporter and Notary Public

18 within and for the State of New York.

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2 much, we are not there for a purpose of
3 interviewing anyone, that is not our job. But,
4 again, it was just a very sad time, you know. We
5 went over there to see if they needed anything
6 from us as well. And they didn't.

7 Q. At some point did you receive any
8 other instructions?

9 A. That day, yes. To go, myself, to
10 go over to Terminal C and certify that
11 equipment. Make sure that equipment was working
12 properly and do a certification, x-ray and metal
13 detector.

14 Q. Okay. When you say that equipment,
15 what equipment are you referring to?

16 A. The x-ray machines and the
17 walk-through metal detectors.

18 Q. Okay. Any particular x-ray
19 machines or walk-through metal detectors?

20 A. I don't remember the manufacturer
21 at that time. Whatever was at that checkpoint.

22 Q. And, can you identify the
23 checkpoint that you are referring to?

24 A. It was the United checkpoint. It
25 was C3 in our database we labelled it as C3. I

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2 believe there was two x-rays and two metal
3 detectors and one explosive trace detection
4 machine.

5 Q. Were you familiar with that
6 checkpoint?

7 A. Yes.

8 Q. Had you ever done any testing at
9 that checkpoint for the FAA prior to 9/11?

10 A. Oh, yes. All the checkpoints I
11 did.

12 Q. And who was the, if you recall, who
13 was the screening company at that checkpoint?

14 A. I don't recall.

15 Q. If I told you, if I mentioned
16 Huntleigh would that refresh your recollection?

17 A. Yes.

18 Q. Was it Huntleigh that was at that
19 checkpoint?

20 A. It sounds familiar. Yes. I know
21 Huntleigh worked at Logan. It is so many
22 checkpoints I couldn't remember to this day
23 which checkpoints.

24 Q. And about what time was this that
25 you received instructions to go to that

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2 A. I don't recall exactly what was
3 talked about. People were somber because of
4 what happened. So it was just kind of a sad
5 day, you know. They understood why we were
6 there. But I don't recall what was exactly
7 said.

8 Q. Did they cooperate with you?

9 A. Oh, yes. Uh-huh.

10 Q. Can you tell us what happened next?

11 A. I proceeded to do my three-gun test
12 on the walk-through metal detector. First you
13 check the settings, make sure that the sticker
14 matches up with the exact numbers that are set
15 on the machine, that it says exactly on the 1650
16 sticker, you know, to make sure that they agree.
17 And they agreed. I don't know the exact
18 settings at that time, but...

19 Then I proceeded to start out, I
20 start out with the small and I go to the large.
21 And I do my test.

22 Q. When you say you start out with the
23 small, is that 9C, the

24 A. Yes. Yes.

25 Q. Can you tell us how you did that

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2 test on 9/11 what the results were?

3 A. Yes, again, like I said, we had to

4

5

6

7 And the machine, both machines at that

8 checkpoint passed.

9 Q. Do you recall what the testing

10 results were for the

11 A. No. I mean have to get

12 I believe I got

13 each one, to my recollection.

14 Q. Okay. Did you then repeat that

15 test with the encapsulated weapon?

16 A. Yes.

17 Q. That is, I think marked as 9D.

18 A. Yes.

19 Q. Same procedure?

20 A. Yes.

21 Q. And that passed as well?

22 A. Yes.

23 Q. Do you recall, I have some notes

24 here, but just for the moment, do you recall

25 what the results of that test were?

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2 A. I believe all three encapsulated
3 weapons I got

4 Q. And that would mean that the metal
5 detector, the walk-through metal detector
6 alarmed when you passed
7 through with the encapsulated weapons?

8 A. Correct.

9 Q. Each encapsulated weapon was passed
10 through
11 is that
12 correct?

13 A. Yes.

14 MR. TOMASIK: Objection, asked and
15 answered.

16 Q. So there was a total passes?

17 A. Yes.

18 Q. And is it your recollection that
19 each and every time the metal detector alarmed?

20 MR. TOMASIK: Objection, asked and
21 answered.

22 A. Yes.

23 Q. You indicated that you also had a
24 step wedge with you, to check
25 whether the x-ray machine was working properly.

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2 garage and walk up into the terminal.

3 Q. It says "lead agent, Denise

4 Roussin." Is that you?

5 A. That is me.

6 Q. "Agent number 2," that is

7 Ms. Wilkins?

8 A. Correct.

9 Q. You indicated she was shadowing

10 you?

11 A. Yes.

12 Q. Underneath in that same section it

13 says "number of violations, zero." What does

14 that mean.

15 A. That means, I believe the system

16 tracks violations at each location and that

17 means there was no open violations against that

18 carrier in charge of that screening location.

19 Q. It says "number of non-violation

20 security weaknesses, zero" what does that mean?

21 A. That would be the same if we have a

22 finding, in other words, we find something out

23 of sorts at the screening location not just with

24 the equipment but with records, we would put in

25 findings and we would have to write that in the

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2 system and show, okay, that was, we could maybe

3 give a warning and such that shows we didn't

4 have any of those at that time.

5 Q. Turning to the next page, 7851.

6 Sorry, I asked you a little bit out of order

7 before. I apologize.

8 Under the second part of the

9 section where it says Metal Detection Device, do

10 you see that?

11 A. Yes.

12 Q. Can you tell us what that section,

13 what information is included in that section?

14 A. That would be extracted from what

15 we enter into the metal detection device profile

16 which is what's kept in the profile is the

17 serial number where that is located and the

18 applicable settings. That shows when that was

19 updated or edited any time throughout the year.

20 Q. And insofar as the section

21 underneath that, number 1 "proper procedures are

22 followed when equipment is placed into service."

23 And then "(Section IV C.3.b)" what does that

24 mean?

25 A. That would be I want to say part of

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2 the Air Carrier Standard Security Program if I
3 recall. That would mean that the screening
4 company responsible for that checkpoint did they
5 properly use the OTP when they opened up that
6 checkpoint that morning.

7 Q. It says "Response" there is
8 something that says "Y in compliance." Then it
9 says "N, findings, N not applicable." What does
10 that mean?

11 A. Y would stand for yes, they are in
12 compliance, which they were. That's why I put a
13 Y. And N would stand for no. That means there
14 is no findings. That means I didn't find
15 anything out of sorts when I went there. And N
16 not applicable is just not applicable.

17 Q. All right. This is referring to the
18 metal detector; right? The walk-through metal
19 detector.

20 A. Yes. I believe because it falls
21 under metal detector they were just talking
22 about that, yes.

23 Q. What did it mean that you said that
24 you found it in compliance?

25 A. That means that I checked the

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2 logbook at that checkpoint to make sure they

3 logged in, that they used the OTP prior to

4 opening that checkpoint.

5 Q. When you put that was in

6 compliance, does that mean you found they had

7 used the OTP properly before opening the

8 checkpoint that morning?

9 A. Yes.

10 MS. McSHAIN: Objection.

11 Q. Number 2 says "Hand-held metal

12 detector testing is conducted" in parentheses it

13 says "(Section IV C.4)" what does that mean?

14 A. Again, I believe that is part of

15 the ACSSP, hand-held metal detectors is what the

16 screeners used to -- on a person if they so had

17 to screen them after they walked through metal

18 detector in a manner that they were trained,

19 which I am not a screener but, you know.

20 And each morning when the

21 checkpoint is opened, again, they take that

22 hand-held and hold it at least 2 to 4 inches

23 away from a piece of metal and run it over at

24 least two times to make sure that hand-held that

25 has a battery in it -- I am not sure what type

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2 of battery -- alarms, beeps.

3 Q. And did your, does your report

4 indicate that the testing of that equipment was

5 in compliance with FAA requirements?

6 MR. TOMASIK: Objection,

7 foundation, speculation.

8 MS. McSHAIN: Objection.

9 Q. Can you explain to us what your

10 response or your report indicates with respect

11 to number 2?

12 MR. TOMASIK: Objection,

13 foundation.

14 A. It is a Y. That means that that

15 checkpoint was in compliance with that piece of

16 device. They did properly do what they had to

17 do.

18 Q. And as you sit here today do you

19 recall what they had to do with respect to the

20 hand-held metal detector?

21 A. Yes. I explained they have to hold

22 it away from metal at least 2 to 4 inches and

23 make sure that it alarms.

24 Q. And do you know when the hand-held

25 metal detector would be used at the screening

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2 Q. Did you do any other testing at
3 checkpoint C3 that day?

4 A. Just C3 their equipment. But
5 nothing else.

6 Q. So you tested all of the security
7 equipment at C3 that day?

8 A. Yes.

9 MS. McSHAIN: Objection.

10 Q. You found all of the security
11 equipment in use at checkpoint C3 working in
12 compliance with FAA regulations?

13 A. That's correct.

14 Q. And the ACSSP?

15 MS. McSHAIN: Objection.

16 A. Yes.

17 Q. Do you recall whether you took any
18 records from the checkpoint with you?

19 A. That day I don't recall at all
20 taking anything back with me. No.

21 Q. Do you know if Ms. Wilkins did?

22 A. No, she did not.

23 Q. Did Ms. Wilkins do anything other
24 than shadow your actual testing of the
25 equipment?